

~~December 17, 1996 CPC~~
~~February 18, 1997 CPC~~
~~March 18, 1997 CPC~~
April 23, 1997 BS

REQUEST ANALYSIS
AND
RECOMMENDATION

97SN0151

The Lakes On 360, Inc.

Clover Hill Magisterial District
North line of Hull Street Road, east of Ashlake Parkway

REQUEST: Rezoning from Residential Townhouse (R-TH) to Community Business (C-3)

PROPOSED LAND USE:

The applicant has agreed to restrict uses to those permitted in the Neighborhood Office (O-1) District and a restaurant.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON
PAGES 2 AND 3.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. With the proffered conditions, the proposed land uses generally comply with the Upper Swift Creek Plan which suggests the property is appropriate for mixed use corridor use. Appropriate uses in these areas include residential developments of various densities as well as professional, business and administrative office parks and integrated supporting uses. With the proffers, the uses would be restricted to office-type uses with an integrated restaurant in the office development.
- B. The development standards of the Zoning Ordinance and proffered conditions ensure land use compatibility with area development and address concerns relative to water quality, utilities, architectural treatment, land uses, hours of operation and transportation.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

- | | | |
|-------------|----|--|
| (STAFF/CPC) | 1. | The storm water runoff from all impervious areas of the property shall drain through a BMP. |
| (STAFF/CPC) | 2. | The public wastewater system shall be used. |
| (STAFF/CPC) | 3. | Building shall have architectural styles and incorporate materials that are similar and complimentary to the townhouse and commercial projects on Tax Map 75-1(5) Lakepointe and Tax Map 75-2(1) part of Parcel 32. Plans depicting this requirement shall be submitted to the Planning Department for review and approval in conjunction with site plan review. |
| (STAFF/CPC) | 4. | Pedestrian and vehicular access shall be provided to the adjacent R-TH property. At the time of the schematic plan or first site plan review, an overall access plan depicting this requirement shall be submitted to, and approved, by the Transportation and Planning Departments. |
| (STAFF/CPC) | 5. | Uses shall be limited to those permitted in the Neighborhood Office (O-1) District plus a single restaurant, not including a fast food or carry-out restaurant. |
| (STAFF/CPC) | 6. | Development shall be limited to a maximum of 35,000.00 gross square feet. |
| (STAFF/CPC) | 7. | No use shall be open to the public between the hours of 11:00 p.m. and 6:00 a.m. Sunday through Thursday and between 12:00 a.m. and 6:00 a.m. Friday and Saturday. |
| (STAFF/CPC) | 8. | Any Restaurant shall not have a separate bar or serving area for the consumption of alcoholic beverages, however, it shall be permissible to have a reception/waiting area in which alcoholic beverages may be served to patrons who are waiting to be seated. |

- (STAFF/CPC) 9. Any restaurant shall not exceed 10,000 gross square feet.
- (STAFF/CPC) 10. Prior to site plan approval, one hundred (100) feet of right-of-way on the north side of Route 360, measured from the centerline of that part of Route 360 immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County.
- (STAFF/CPC) 11. The maximum density of development with access to Duckridge Boulevard shall be 6,400 square feet of medical/dental office or equivalent densities as approved by the Transportation Department.
- (STAFF/CPC) 12. Direct access to Route 360 shall be limited to one (1) entrance/exit located towards the western property line. The exact location of this access shall be approved by the Transportation Department. Prior to site plan approval, an access easement, acceptable to the Transportation Department, shall be recorded to ensure shared use of this access with the adjacent property to the west.
- (STAFF/CPC) 13. To provide an adequate roadway system at the time of complete development, the Developer shall be responsible for the following:
- A) Construction of an additional lane of pavement along westbound lanes of Route 360 for the entire property frontage;
 - B) Construction of additional pavement along the westbound lanes of Route 360 at the approved access to provide a separate right turn lane; and
 - C) Dedication to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for the improvement identified above.
- (STAFF/CPC) 14. Prior to site plan approval, a phasing plan for the required road improvement, as identified in Proffered Condition 13 shall be submitted to and approved by the Transportation Department.

GENERAL INFORMATION

Location:

Fronts the north line of Hull Street Road, east of Ashlake Parkway. Tax Map 75-2 (1) Part of Parcel 32 (Sheet 20).

Existing Zoning:

R-TH

Size:

7.8 acres

Existing Land Use:

Vacant

Adjacent Zoning & Land Use:

North - R-TH; Residential townhouse (Lakepointe, under construction)

South - C-3; Vacant

East - C-3; Vacant

West - A; Single family residential

UTILITIES

Public Water System:

There is an existing twenty-four (24) inch water line along the north side of Hull Street Road, adjacent to the request site. The use of the public water system is required by County Code (Chapter 20).

Public Wastewater System:

There is an existing ten (10) inch wastewater subtrunk line adjacent to the Lakepointe development and the Swift Creek Reservoir, approximately 250 feet northeast of the request site. The applicant has proffered the use of the public wastewater system. (Proffered Condition 2)

ENVIRONMENTAL

Drainage and Erosion:

Site drains to Swift Creek Reservoir. There are no existing on- or off-site drainage or erosion problems, nor are any anticipated if erosion control devices are properly installed and maintained. Off-site easements and drainage improvements may be necessary to control runoff.

Water Quality:

Due to high runoff from C-3 development and the site being adjacent to residential uses, the applicant has agreed that all stormwater runoff will drain through a BMP to insure protection of the water quality of Swift Creek Reservoir. (Proffered Condition 1)

PUBLIC FACILITIES

Fire Service:

The property is currently served by the Clover Hill Fire/Rescue Station, Company Number 7 and Manchester Rescue Squad. Fire hydrants with adequate water flow must be provided in compliance with nationally recognized standards (i.e. National Fire Protection Association And Insurance Services Office). When the property is developed, the number of hydrants and quantity of water needed for fire protection will be evaluated during the site plan review and construction plans review processes. Also, the need for ingress/egress for emergency equipment and designation of fire lanes will be determined during the review of site and construction plans.

Transportation:

The applicant has proffered that development will be limited to a maximum gross square footage of 35,000 (Proffered Condition 6). This request will not limit development to a specific land use; therefore, it is difficult to anticipate traffic generation. Based on high turnover, sit-down restaurant and general office trip rates, development is anticipated to generate approximately 2,270 average daily trips. These vehicles will be distributed along Hull Street Road (Route 360) which had a 1995 traffic count of 29,336 vehicles per day.

The Thoroughfare Plan identifies Route 360 as a major arterial with a recommended right-of-way width of 120 to 200 feet. The applicant has proffered to dedicate one-hundred (100) feet of right-of-way measured from the centerline of Route 360 in accordance with that Plan. (Proffered Condition 10)

The number of traffic signals on Route 360 should be limited to help traffic flow. The subject property is located in the northwest corner of the Duckridge Boulevard/Route 360 intersection. An existing crossover is located along Route 360 that aligns Duckridge Boulevard and serves the Lakepointe townhouse development. Installing a traffic signal on Route 360 at that existing crossover is not recommended. Both the Ashlake Parkway/Route 360 and the Winterpock Road/Route 360 intersections are anticipated to warrant traffic signalization in the future.

Development must adhere to the Zoning Ordinance relative to access and internal circulation (Article 7). Based on existing zoning, this property could be developed for thirty-one (31) townhouse units with sole access to Route 360 via Duckridge Boulevard. Thirty-one (31) townhouse units could generate approximately 240 average daily trips. In order not to increase the potential for a traffic signal at the Duckridge Boulevard/Route 360 intersection, development of the subject property with access via Duckridge Boulevard should be limited to a density that would generate a similar volume of traffic as currently permitted by the townhouse zoning. To address this concern, the applicant has proffered to limit development to a maximum density of 6,400 square feet of medical/dental office, or equivalent density, with access to Duckridge Boulevard. (Proffered Condition 11)

Direct access to Route 360 should be controlled. The applicant has proffered to limit direct access to Route 360 to one (1) entrance/exit (Proffered Condition 12). This access will be located towards the western property line and will be shared with the adjacent property to the west. Development of the subject property with sole access via this entrance/exit would not have a density limit.

Mitigating road improvements must be provided to address the impact of this development. The applicant has proffered to: 1) construct an additional lane of pavement along Route 360 for the entire property frontage; and 2) construct a separate right turn lane along Route 360 at the approved access. (Proffered Condition 13)

At time of site plan review, specific recommendations will be provided regarding access and internal circulation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan which suggests the property is appropriate for mixed use corridor uses. Land uses in these areas would include residential developments of various densities as well as professional, business and administrative office parks and integrated supporting uses.

Area Development Trends:

Adjacent property to the north is being developed as the Lakepointe townhouse complex. The property to the south and east is zoned Community Business (C-3) and is currently vacant while adjacent property to the west is zoned Agricultural (A) and is occupied by single family residential use.

Zoning History and Subdivision Plan History:

On October 28, 1987, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved rezoning to Residential Townhouse (R-TH) on the request site and adjacent property (Case 87S110). Townhouse development was limited to a maximum density of 4.0 units per acre.

As noted herein, the adjacent Lakepointe Townhouse development was limited by conditions of zoning to a maximum density of 4.0 units per acre (Case 87S110). Previous requests rezoned portions of the recorded R-TH acreage of the Lakepointe Townhouse development from R-TH to C-3 (Cases 96SN0122 and 96SN0123). By extracting this property from the recorded R-TH property, the density of the townhouse development exceeded the maximum density allowed by Case 87S110. An amended plat, which adds acreage to the townhouse development at a minimum equal to that which was the subject of Cases 96SN0122 and 96SN0123, must be filed so that the development density remains in compliance with conditions of zoning. The applicant has submitted, and staff has approved an amended plat for the townhouse development. The plat has not yet been recorded. This plat must be recorded to bring the townhouse project into compliance with zoning conditions.

Site Design:

The request property is located at one of the main entrances into the Lakepointe townhouse project.

The request property lies within an Emerging Growth Area. New construction must conform to the development standards of the Zoning Ordinance which address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, utilities, and screening of dumpsters and loading areas.

The applicant has agreed to limit uses to those permitted in the Neighborhood Office (O-1) District and a single restaurant; limit development to a maximum of 35,000 gross square feet; prohibit the operation of a separate bar or serving area for the consumption of alcoholic beverages within a restaurant; and limit the size of the restaurant to a maximum of 10,000 gross square feet. (Proffered Conditions 5, 6, 8 and 9)

Architectural Treatment:

The applicant has proffered architectural style and materials similar and complimentary to the adjacent townhouse and commercial projects (Proffered Condition 3). Further, within Emerging Growth Areas, no building exterior which would be visible to any residential or townhouse residential district or any public right of way may consist of architectural materials inferior in quality, appearance, or detail to any other exterior of the same building. There is, however, nothing to preclude the use of different materials on different building exteriors, but rather, the use of inferior materials on sides which face adjoining property. No portion of a building constructed of unadorned concrete block or corrugated and/or sheet metal may be visible from any adjoining residential or townhouse residential district or any public right of way. No building exterior may be constructed of unpainted concrete block or corrugated and/or sheet metal. Mechanical equipment, whether ground-level or rooftop, must be shielded and screened from public view and designed to be perceived as an integral part of the building.

Hours of Operation:

The applicant has agreed that no use will be open to the public between the hours of 11:00 p.m. and 6:00 a.m. Sunday through Thursday and between 12:00 a.m. and 6:00 a.m. Friday and Saturday. (Proffered Condition 7)

Buffers & Screening:

The Zoning Ordinance requires that solid waste storage areas (i.e., dumpsters, garbage cans, trash compactors, etc.) be screened from view of adjacent property and public rights of way by a solid fence, wall, dense evergreen plantings or architectural feature, be separated from any residentially zoned property or any property being used for residential purposes by the principal building, and that such area within 1,000 feet of any residentially zoned property or property used for residential purposes not be serviced between the hours of 9:00 p.m. and 6:00 a.m. In addition, sites must be designed and buildings oriented so that loading areas are screened from any property where loading areas are prohibited and from public rights of way.

Adjacent property to the north is zoned Residential Townhouse (R-TH) and is being developed as Lakepointe townhouse complex. The Zoning Ordinance requires a minimum seventy-five (75) foot buffer along the northern property boundary of the request site. At the time of site plan review, the Planning Commission may modify this buffer if adequate screening can be provided in a lesser width. It should be noted that due to the differences in elevation and limited existing vegetation between the townhouse development and the proposed commercial development, it may be difficult to adequately screen or buffer the commercial site from adjacent residential development.

CONCLUSIONS

The proposed zoning and land uses comply with the Upper Swift Creek Plan which suggests the property is appropriate for mixed use corridor use including residential developments of various densities as well as professional, business and administrative office parks and integrated supporting uses. In addition, the development standards of the Zoning Ordinance and proffered conditions ensure land use compatibility with area development and address concerns relative to water quality, utilities, architectural treatment, land uses, hours of operation and transportation.

Given the proffered conditions which restrict the uses permitted to generally office uses with a restaurant as part of this use, the proposal conforms to the adopted Plan.

Therefore, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (12/17/96):

At the request of the applicant, the Commission deferred this case to their February 18, 1997, public hearing.

Staff (12/18/96):

The applicant was advised in writing that any new or revised information should be submitted no later than December 26, 1996, for consideration at the Commission's February 18, 1997, public hearing. The applicant was also advised that a \$50.00 deferral fee must be paid prior to the February meeting.

Applicant (2/14/97):

The applicant submitted a request for a deferral to the Commission's March 18, 1997, public hearing to allow the applicant additional time to amend proffered conditions. In addition, the required deferral fees for the February and March meetings were paid.

Planning Commission Meeting (2/18/97):

At the request of the applicant, the Commission deferred this case to their March 18, 1997, public hearing.

Staff (2/19/97):

The applicant was advised in writing that any new or revised information should be submitted no later than February 24, 1997, for consideration at the Commission's March 18, 1997, public hearing.

Applicant (2/24/97 and 3/6/97):

The applicant submitted revised proffered conditions, as discussed in the "Request Analysis and Recommendation."

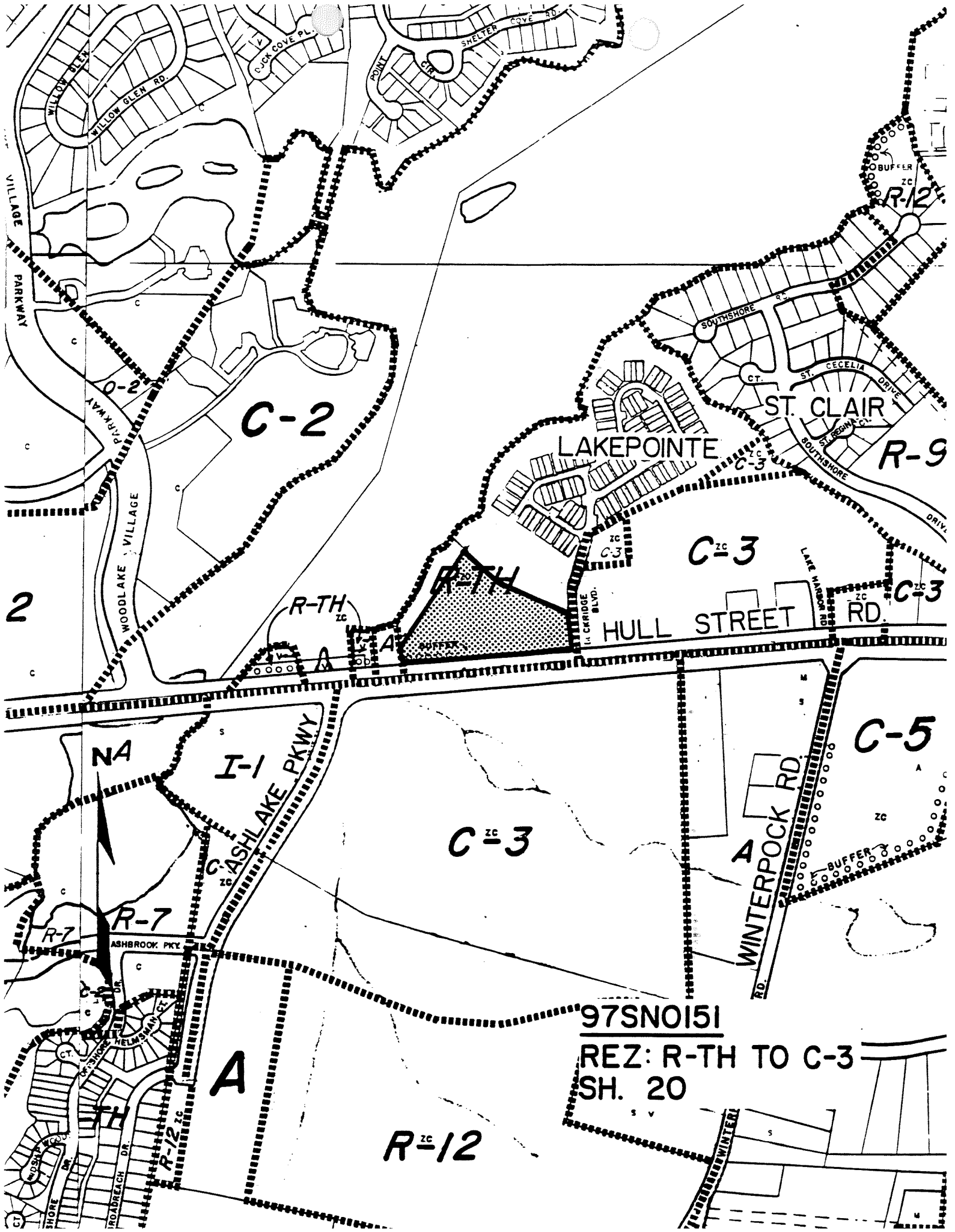
Planning Commission Meeting (3/18/97):

The applicant accepted the recommendation. There was no opposition present.

On motion of Mr. Gulley, seconded by Mr. Miller, the Commission recommended approval of this request and acceptance of the proffered conditions on pages 2 and 3.

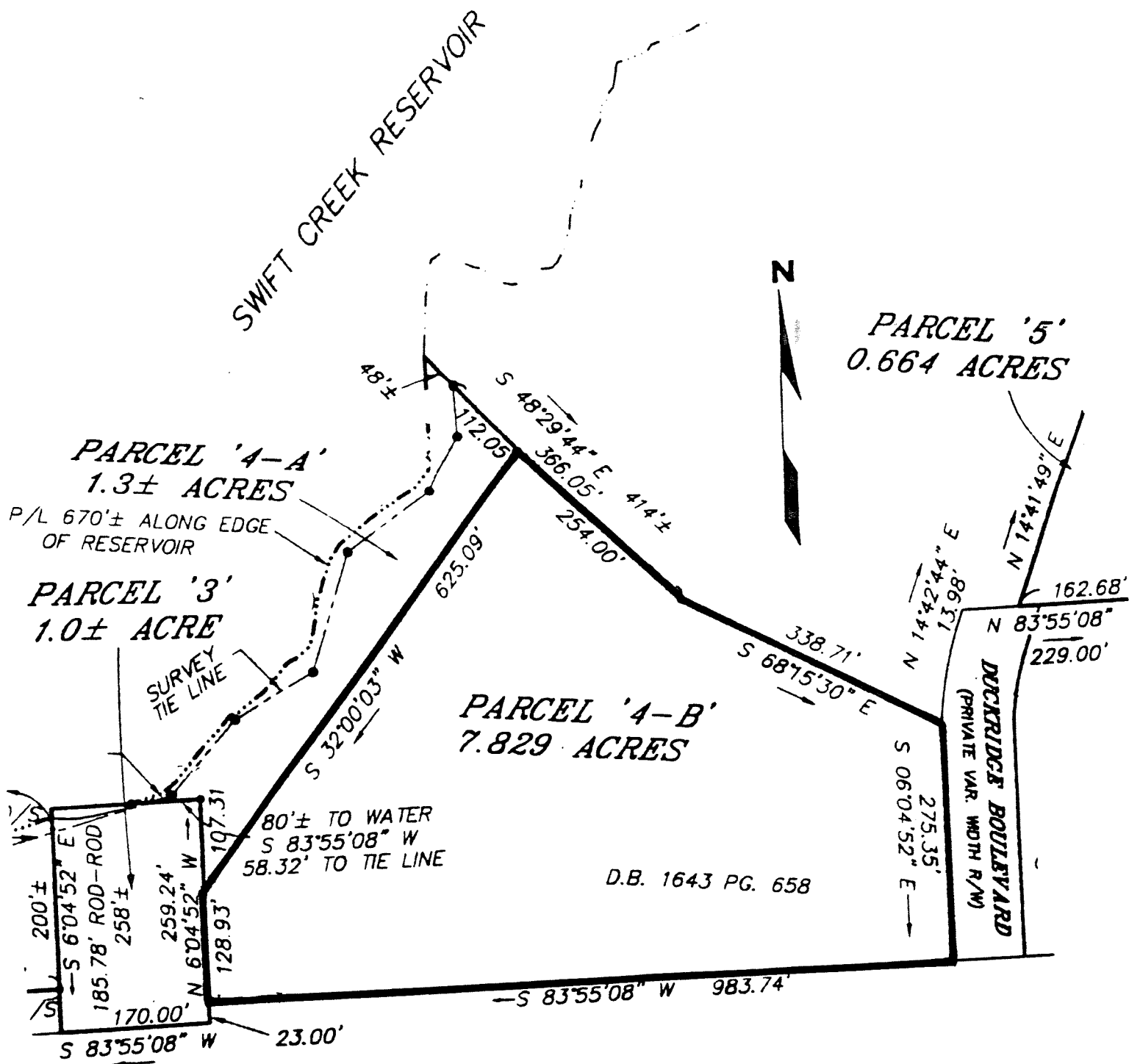
AYES: Unanimous.

The Board of Supervisors, on Wednesday, April 23, 1997, beginning at 7:00 p.m., will take under consideration this request.



97SN0151

REZ: R-TH TO C-3
SH. 20



Comprehensive Plan suggests the property is appropriate for mixed use corridor use. This request lies in a Corporate Office (O-2) District on 5.4 acres fronting approximately 526 feet on the south line of Village Square Parkway, approximately 876 feet west of Woodlake Village Parkway. Tax Map 74-4 (1) Parcel 6 (Sheet 19).

Mr. Jacobson presented a summary of Case 96SN0290 and stated that staff and the Planning Commission recommend approval subject to one condition and acceptance of the proffered conditions. He noted the request conforms to the Upper Swift Creek Plan.

Mr. Harold V. Groome, Jr. stated the recommendation is acceptable. There was no opposition present.

Mrs. Humphrey expressed appreciation to Mr. Groome for his efforts in working with area residents regarding this request.

Mrs. Humphrey then made a motion, seconded by Mr. McHale, for the Board to approve Case 96SN0290, subject to the following condition:

A fifty (50) foot buffer shall be maintained along the southern property boundary. This buffer shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers, Sections 19-520, 19-521 (a), (b), (e) and (h) and 19-522 (a) (2). (P)

And, further, the Board accepted the following proffered conditions:

1. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removal of dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed.
2. The developer shall be responsible for construction of Village Square Parkway as a two-lane roadway from the Hickory Grove Drive/Manor Gate Drive intersection to the western boundary of Woodlake; a distance of approximately 190 feet. Prior to issuance of an occupancy permit, this improvement shall be constructed or committed as determined by the Transportation Department.

Vote: Unanimous

97SN0151

In Clover Hill Magisterial District, **THE LAKES ON 360, INC.** requested rezoning from Residential Townhouse (R-TH) to Community Business (C-3). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for mixed use corridor use. This request lies on 7.8 acres fronting approximately 983 feet on the north line of Hull Street Road, approximately 200 feet east of Ashlake Parkway. Tax Map 75-2 (1) Part of Parcel 32 (Sheet 20).

Mr. Jacobson presented a summary of Case 97SN0151 and stated that staff and the Planning Commission recommend approval and acceptance of the proffered conditions. He noted the request conforms to the Upper Swift Creek Plan.

Mr. Scott Stolte, representing the applicant, stated the recommendation is acceptable. There was no opposition present.

On motion of Mr. Warren, seconded by Mr. McHale, the Board approved Case 97SN0151 and accepted the following proffered conditions:

1. The storm water runoff from all impervious areas of the property shall drain through a BMP.
2. The public wastewater system shall be used.
3. Building shall have architectural styles and incorporate materials that are similar and complimentary to the townhouse and commercial projects on Tax Map 75-1(5) Lakepointe and Tax Map 75-2(1) part of Parcel 32. Plans depicting this requirement shall be submitted to the Planning Department for review and approval in conjunction with site plan review.
4. Pedestrian and vehicular access shall be provided to the adjacent R-TH property. At the time of the schematic plan or first site plan review, an overall access plan depicting this requirement shall be submitted to, and approved, by the Transportation and Planning Departments.
5. Uses shall be limited to those permitted in the Neighborhood Office (O-1) District plus a single restaurant, not including a fast food or carry-out restaurant.
6. Development shall be limited to a maximum of 35,000.00 gross square feet.
7. No use shall be open to the public between the hours of 11:00 p.m. and 6:00 a.m. Sunday through Thursday and between 12:00 a.m. and 6:00 a.m. Friday and Saturday.
8. Any Restaurant shall not have a separate bar or serving area for the consumption of alcoholic beverages, however, it shall be permissible to have a reception/waiting area in which alcoholic beverages may be served to patrons who are waiting to be seated.
9. Any restaurant shall not exceed 10,000 gross square feet.
10. Prior to site plan approval, one hundred (100) feet of right-of-way on the north side of Route 360, measured from the centerline of that part of Route 360 immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County.
11. The maximum density of development with access to Duckridge Boulevard shall be 6,400 square feet of medical/dental office or equivalent densities as approved by the Transportation Department.
12. Direct access to Route 360 shall be limited to one (1) entrance/exit located towards the western property line. The exact location of this access shall be approved by the Transportation Department. Prior to site plan approval, an access easement, acceptable to the Transportation Department, shall be recorded to ensure shared use of this access with the adjacent property to the west.

13. To provide an adequate roadway system at the time of complete development, the Developer shall be responsible for the following:
- A) Construction of an additional lane of pavement along westbound lanes of Route 360 for the entire property frontage;
 - B) Construction of additional pavement along the westbound lanes of Route 360 at the approved access to provide a separate right turn lane; and
 - C) Dedication to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for the improvement identified above.
14. Prior to site plan approval, a phasing plan for the required road improvement, as identified in Proffered Condition 13 shall be submitted to and approved by the Transportation Department.

Vote: Unanimous

97SN0165 (Amended)

In Dale Magisterial District, **JAMES H. MARTIN, JR. AND A. DALE SMITH** requested rezoning from Agricultural (A) to Neighborhood Business (C-2), plus Conditional Use to permit outside public address systems. A drug store/pharmacy is planned. However, with approval of this request, other C-2 uses would be permitted. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for office use. This request lies on 3.2 acres fronting approximately 367 feet on the east line of Iron Bridge Road, also fronting approximately 161 feet on the north line of Centralia Road and located in the northeast quadrant of the intersection of these roads. Tax Map 96-9 (1) Parcel 8 and Tax Map 95-8 (1) Part of Parcel 19 (Sheet 31).

Mr. Jacobson presented a summary of Case 97SN0165 and stated that staff and the Planning Commission recommend approval and acceptance of the proffered conditions. He noted the request conforms to the Central Area Land Use Plan.

Gloria Frye, Esquire, representing the applicant, stated the recommendation is acceptable and expressed appreciation to County staff and area property owners for their efforts regarding this request. There was no opposition present.

Mr. Daniel stated that no one came forward to speak regarding this request and the public hearing on Case 97SN0165 is closed. He requested that action on this Case be deferred until after Case 97SN0160 has been heard as these two cases are tied closely together.

97SN0184

In Clover Hill Magisterial District, **HOMESTEAD VILLAGE INCORPORATED** requested amendment to Conditional Use Planned Development (Case 85S076) to permit an additional hotel or motel in a Corporate Office (O-2) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for office use. This request lies on 3.8 acres fronting approximately 420 feet on the east line of Arboretum Place, approximately 550 feet north of Arboretum Parkway. Tax Map 28-1 (1) Parcel 33 (Sheet 8).